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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/808,876 | 03/15/2001 | Brian Bunyan | KELL-0064 | 5269 |

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| EXAMINER |
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GRAHAM, CLEMENT B

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| ART UNIT | PAPER NUMBER |
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3628

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/808,876

Applicant(s)

BUNYAN ET AL.

Examiner

Clement B Graham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 15 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1, is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two prong test of:

(1) whether the invention is within the technological arts; and

(2) whether the invention produces a useful, concrete and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts. In the present case, claim 1, does not recite any structure or functionality to suggest that a computer performs the recited claim. Thus, claim 1, is rejected as being directed to non-statutory subject matter.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sacks U.S. Patent No. 5, 974, 407 in view of Axelrod et al (Hereinafter Axelrod U.S. Patent No. 4, 862, 386).

As per claim 1, Sacks discloses a margin determination unit for a transaction system of a supplier, the margin determination unit comprising: a margin table memory for storing a plurality of tables, each table having a plurality of rows, a table selector for selecting the tables in sequence and comparator for comparing quantities specified.

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(Note abstract and see column 6 lines 10-20 and 13 lines 50-65 and column 15 line 65 and column 16 line 5).

Sacks fail to explicitly teach a comparator by successive rows of the selected table with corresponding quantities in a transaction request from a client/user, a calculation unit for calculating a margin under control of information in the table if all comparisons are good, with said table selector selecting the next table if any comparison is bad.

However Axelrod discloses computer means coupled to said input means and including a plurality of memory locations, said computer means further including: means coupled to said printing means and responsive to said letter data signal for identifying each of said information parts; means for converting said identified information parts of said letter data into a plurality of data parts; means for storing each of said data parts into separate memory locations; processing means including stored sequence data and stored location data corresponding to respective ones of said identified information parts; means coupled to said processing means and responsive to said sequence data and said location data for retrieving from said means for storing at least one of said data parts corresponding to an identified information part in accordance with said sequence and location of said information part, said computer means coupled to said printing means to print on said stationery item in proper sequence and location retrieved information part corresponding to a selected data part.(see column 49 lines 25-45 and column 40 lines 5-15) and calculating or utilizing a look up table for determining, or otherwise providing the postage needed for mailing the identified stationery items and inserts, if any, and providing instructions for selecting the identified stationery items and inserts, if any, and printing the reformatted letter data. Other steps that may be included in the reformatting step without departing from the spirit and scope of the invention, including for example those hereinbefore discussed in connection discussing the programs of the computer and those discussed throughout this application. Thereafter, the routine causes a determination to be made as to whether or not the letter being processed is to be included in a manifest mail run or batch, step, which information may be included for example as a code associated with the letter data for flagging the letter as such, or may be provided from the local input terminal hereinbefore discussed.

Assuming the letter is not to be included as one in a manifest mail run or batch, then, the letter data is augmented by the postage marking data that is to be used, step 816, including data corresponding to a given postage manufacturers graphic information, or a permit mailers serial number, is added to the reformatted letter data. (see column 27 lines 40-65 and column 28 line 5-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Sacks to include comparator, successive rows of the selected table with corresponding quantities in a transaction request from a client/user, a calculation unit for calculating a margin under control of information in the table if all comparisons are good, with said table selector selecting the next table if any comparison is bad taught by Axelrod in order for a computer controlled system for generating, transmitting and printing of formal business letters including letter mail.

As per claim 2, Sacks discloses, further comprising a table editor for adding new tables, deleting tables, amending tables, and rearranging the sequence of the tables.(Note abstract see column 28 lines 5-25) interpretive as claimed).

As per claim 3, Sacks discloses, wherein the tables include rows containing entries selected from the table name, transaction type, client details, transaction size, transaction currency, instrument type, time period(s), and margin type and amount.(see column 29 lines 30-35 interpretive as claimed).

As per claim 4, Sacks and Axelrod fail to explicitly teach further comprising a conflict determination unit for determining whether a table in the table memory is in conflict with an internal rule specified in a rule set.

However determining if table memory is in conflict with an internal rule specified in a rule set is old and well known in the art because it prevents duplicating data.

Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Sacks and Axelrod include table memory is in conflict with an internal rule specified in a rule set because it prevents duplicating data.

As per claims 5-6, Sacks and Axelrod fail to explicitly teach, wherein said tables are ordered in the table memory and wherein said internal rule is a rule defining the ordering of the tables within the memory according to the information contained therein. However it is common for all tables in memory to be stored in one format or the other and they are rules that applies to storing of data in a database in order to prevent duplicating data.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Sacks and Axelrod wherein said tables are ordered in the table memory and wherein said internal rule is a rule defining the ordering of the tables within the memory according to the information contained therein because it is common for all tables in memory to be stored in one format or the other and they are rules that applies to storing of data in a database in order to prevent duplicating data.

As per claim 7, Sacks and Axelrod fail to explicitly teach wherein said internal rule is a rule defining the permitted information which may be contained within said tables based on the capabilities of said transaction system.

As per claim 8, Sacks discloses a quoting processor comprising a margin determination unit, the margin determination unit comprising a margin table memory for storing a plurality of tables, each table having a plurality of rows, a table selector for selecting the tables in sequence, comparing quantities specified. (Note abstract and see column 6 lines 10-20 and 13 lines 50-65 and column 15 line 65 and column 16 line 5).

Sacks fail to teach comparator successive rows of the selected table with corresponding quantities in a transaction request from a client/user, a calculation unit for calculating a margin under control of information in the table if all comparisons are good, with said table selector selecting the next table if any comparison is bad. However Axelrod discloses computer means coupled to said input means and including a plurality of memory locations, said computer means further including: means coupled to said printing means and responsive to said letter data signal for identifying each of said information parts; means for converting said identified information parts of said

letter data into a plurality of data parts; means for storing each of said data parts into separate memory locations; processing means including stored sequence data and stored location data corresponding to respective ones of said identified information parts; means coupled to said processing means and responsive to said sequence data and said location data for retrieving from said means for storing at least one of said data parts corresponding to an identified information part in accordance with said sequence and location of said information part, said computer means coupled to said printing means to print on said stationery item in proper sequence and location retrieved information part corresponding to a selected data part.(see column 49 lines 25-45 and column 40 lines 5-15) and calculating or utilizing a look up table for determining, or otherwise providing the postage needed for mailing the identified stationery items and inserts, if any, and providing instructions for selecting the identified stationery items and inserts, if any, and printing the reformatted letter data. Other steps that may be included in the reformatting step without departing from the spirit and scope of the invention, including for example those hereinbefore discussed in connection discussing the programs of the computer and those discussed throughout this application. Thereafter, the routine causes a determination to be made as to whether or not the letter being processed is to be included in a manifest mail run or batch, step, which information may be included for example as a code associated with the letter data for flagging the letter as such, or may be provided from the local input terminal hereinbefore discussed. Assuming the letter is not to be included as one in a manifest mail run or batch, then, the letter data is augmented by the postage marking data that is to be used, step 816, including data corresponding to a given postage manufacturers graphic information, or a permit mailers serial number, is added to the reformatted letter data. (see column 27 lines 40-65 and column 28 line 5-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Sacks to include successive rows of the selected table with corresponding quantities in said transaction request, calculating a margin under control of information in the table if all comparisons are good, or selecting a further table if any comparison is bad taught by Axelrod in order for a computer

controlled system for generating, transmitting and printing of formal business letters including letter mail.

As per claim 9, Sacks discloses a financial transaction system comprising a margin determination unit, the margin determination unit comprising: a margin table memory for storing a plurality of tables, each table having a plurality of rows, a table selector for selecting the tables in sequence, a comparator for comparing quantities specified. (Note abstract and see column 6 lines 10-20 and 13 lines 50-65 and column 15 line 65 and column 16 line 5).

Sacks fail to explicitly teach successive rows of the selected table with corresponding quantities in a transaction request from a client/user, a calculation unit for calculating a margin under control of information in the table if all comparisons are good, with said table selector selecting the next table if any comparison is bad.

However Axelrod discloses computer means coupled to said input means and including a plurality of memory locations, said computer means further including: means coupled to said printing means and responsive to said letter data signal for identifying each of said information parts; means for converting said identified information parts of said letter data into a plurality of data parts; means for storing each of said data parts into separate memory locations; processing means including stored sequence data and stored location data corresponding to respective ones of said identified information parts; means coupled to said processing means and responsive to said sequence data and said location data for retrieving from said means for storing at least one of said data parts corresponding to an identified information part in accordance with said sequence and location of said information part, said computer means coupled to said printing means to print on said stationery item in proper sequence and location retrieved information part corresponding to a selected data part. (see column 49 lines 25-45 and column 40 lines 5-15) and calculating or utilizing a look up table for determining, or otherwise providing the postage needed for mailing the identified stationery items and inserts, if any, and providing instructions for selecting the identified stationery items and inserts, if any, and printing the reformatted letter data. Other steps that may be included in the reformatting step without departing from the spirit and scope of the invention,

including for example those hereinbefore discussed in connection discussing the programs of the computer and those discussed throughout this application. Thereafter, the routine causes a determination to be made as to whether or not the letter being processed is to be included in a manifest mail run or batch, step, which information may be included for example as a code associated with the letter data for flagging the letter as such, or may be provided from the local input terminal hereinbefore discussed. Assuming the letter is not to be included as one in a manifest mail run or batch, then, the letter data is augmented by the postage marking data that is to be used, step 816, including data corresponding to a given postage manufacturers graphic information, or a permit mailers serial number, is added to the reformatted letter data. (see column 27 lines 40-65 and column 28 line 5-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Sacks to include successive rows of the selected table with corresponding quantities in said transaction request, calculating a margin under control of information in the table if all comparisons are good, or selecting a further table if any comparison is bad taught by Axelrod in order for a computer controlled system for generating, transmitting and printing of formal business letters including letter mail.

As per claims 10-11, Sacks discloses a method of determining a margin in a transaction comprising the steps of:

receiving a transaction request from a client/user,
selecting a table from a stored set of tables, each table having a plurality of rows,
comparing quantities specified .(Note abstract and see column 6 lines 10-20 and 13 lines 50-65 and column 15 line 65 and column 16 line 5).

Sacks fail to explicitly teach successive rows of the selected table with corresponding quantities in said transaction request, calculating a margin under control of information in the table if all comparisons are good, or selecting a further table if any comparison is bad.

However Axelrod discloses computer means coupled to said input means and including a plurality of memory locations, said computer means further including: means coupled

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to said printing means and responsive to said letter data signal for identifying each of said information parts; means for converting said identified information parts of said letter data into a plurality of data parts; means for storing each of said data parts into separate memory locations; processing means including stored sequence data and stored location data corresponding to respective ones of said identified information parts; means coupled to said processing means and responsive to said sequence data and said location data for retrieving from said means for storing at least one of said data parts corresponding to an identified information part in accordance with said sequence and location of said information part, said computer means coupled to said printing means to print on said stationery item in proper sequence and location retrieved information part corresponding to a selected data part.(see column 49 lines 25-45 and column 40 lines 5-15) and calculating or utilizing a look up table for determining, or otherwise providing the postage needed for mailing the identified stationery items and inserts, if any, and providing instructions for selecting the identified stationery items and inserts, if any, and printing the reformatted letter data. Other steps that may be included in the reformatting step without departing from the spirit and scope of the invention, including for example those hereinbefore discussed in connection discussing the programs of the computer and those discussed throughout this application. Thereafter, the routine causes a determination to be made as to whether or not the letter being processed is to be included in a manifest mail run or batch, step, which information may be included for example as a code associated with the letter data for flagging the letter as such, or may be provided from the local input terminal hereinbefore discussed. Assuming the letter is not to be included as one in a manifest mail run or batch, then, the letter data is augmented by the postage marking data that is to be used, step 816, including data corresponding to a given postage manufacturers graphic information, or a permit mailers serial number, is added to the reformatted letter data. (see column 27 lines 40-65 and column 28 line 5-65).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Sacks to include successive rows of the selected table with corresponding quantities in said transaction request, calculating a

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margin under control of information in the table if all comparisons are good, or selecting a further table if any comparison is bad taught by Axelrod in order for a computer controlled system for generating, transmitting and printing of formal business letters including letter mail.

Conclusion

4. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Moshal et al (US 6, 631,361 Patent) teaches method and apparatus for providing explanations of automated decisions applied to user data.

Shavit Eyal (US Patent 4, 799, 156) teaches interactive market management systems.

Borgato Sergio (US Patent 5,950, 178) teaches data processing system and method for facilitating transaction in diamonds.

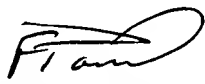
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

August 18, 2004


FRANTZY POINVIL
PRIMARY EXAMINER
Au 3628